



UNITED STATES DISTRICT AND BANKRUPTCY COURT
FOR THE DISTRICT OF IDAHO



CM/ECF HELPFUL HINTS

Volume #3 - April 2005

These hints and tips, and answers to frequently asked questions, are designed to make your use of CM/ECF more efficient and problem-free. As our experience with CM/ECF continues, we will be constantly refining the process in order to best serve the needs of both the Court and the Bar. Check here often for additional information and news regarding CM/ECF procedures. Please direct your questions and comments by way of e-mail to "ecfhelp@id.uscourts.gov" or call the help desk at (1-800-699-9842).



GENERAL ISSUES APPLICABLE TO DISTRICT AND BANKRUPTCY COURT

1. "I am confused as to whether I should use my PACER or CM/ECF account for filing/browsing?"

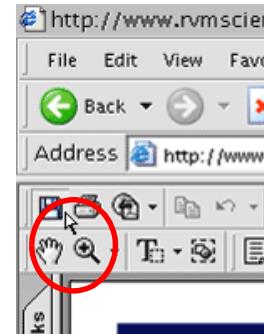
We recommend that you **always** log in using your CM/ECF account. You will be prompted for your PACER account information when you attempt to access a page or report requiring a **PACER** fee.

Authentication	
Login:	<input type="text"/>
Password:	<input type="password"/>
Client code:	<input type="text"/>
<input type="checkbox"/> Make this my default PACER login	
<input type="button" value="Login"/> <input type="button" value="Reset"/>	

As a shortcut, the next time you enter your PACER login and password, check the box directly below which says "Make this my default PACER login." Thereafter, every time you enter your CM/ECF login and password, your PACER login and password will be **logged in at the same time automatically (in the background)**. **Though you won't be prompted for this login/password**, you will still be charged a fee when viewing court records/reports! If you should need to edit your PACER account information, go to the "Your PACER Account" option located on the Utilities menu. You can change your default PACER account there, but you cannot **remove it and return to the prompting steps**.

2. “When I am viewing the electronic document, how do I save a copy?”

You should always use the “save” icon located on the ADOBE (or other .pdf software) tool bar and then identify the directory where it should be placed. If you use the “file/save as” command, it will only save the link, not the document.



3. “I couldn’t seem to find a particular event in CM/ECF. Is there a place I can go which has a comprehensive listing of such things?”

Yes. Our website at www.id.uscourts.gov has a CM/ECF Help Desk which contains separate Reference Guides for both the District and Bankruptcy Courts where you will find a list of all the possible events under a particular category.

4. “Is it important that I describe every attachment?”

Yes. It is imperative that *every* attachment be described in a brief and concise manner, e.g. *Affidavit of Joe Smith, Exhibit A-B*.

5. “Can I attach a proposed order to an electronically filed motion or stipulation?”

No *All* proposed orders **must** be e-mailed separately to the appropriate address from the following list:

District Court

BLW_Orders@id.uscourts.gov
EJL_Orders@id.uscourts.gov
LMB_Orders@id.uscourts.gov
MHW_Orders@id.uscourts.gov
VisitingJudgeOrders@id.uscourts.gov

Bankruptcy Court

OrdersSouth@id.uscourts.gov
OrdersNorth@id.uscourts.gov
OrdersEast@id.uscourts.gov

6. “What is happening when I click on my free look in my e-mail notice and PACER asks for my login and password?”

You could have inadvertently “double-clicked” and thereby already used your free look. Otherwise, check to see if the docket text indicates that the pleading was SEALED or if it is a notification of a TRANSCRIPT filing. Neither of these items are viewable through the Notice of Electronic Filing. Sealed documents can never be viewed by outside users. Copies of Transcripts must be ordered through the court reporter and not obtained through PACER. Therefore, in these instances, the e-mail is simply a notice that these items have been filed with the Court and not a service of the document/transcript on the recipient of the e-mail. If none of the above is true, keep a record so you can be reimbursed by the PACER Service Center.

7. “What are some of the most common mistakes attorneys make when electronically filing in CM/ECF?”

Forgetting to date the documents; Forgetting to insert a “/s/ and the attorney’s full name” where the signature would normally appear in a conventional document.

8. “Does the NEF (Notice of Electronic Filing) eliminate the need for a Certificate of Service?

No, a certificate of service on all parties entitled to service or notice is still required when a party files a document electronically. The certificate must state the manner in which service was accomplished on each party and shall appear as the last page of the document being electronically filed.

9. What is the maximum size document which can be filed electronically? Approximately how does that equate in terms of number of pages?

Documents may be electronically filed up to **3-megabytes** (3MB) in size before any problems occur. Transmission time for documents in excess of 3MB may time out and fail to file due to system security features. A Word or WordPerfect plain text document converted to PDF format could be up to 1000 pages before it hits the 3MB limit. However, a 3MB **scanned** document usually consists of 50-75 pages of plain text, 25-30 pages of extensive graphics, graphs/tables/charts, or 15-20 pages condensed transcripts. Documents in excess of 3MB will need to be divided into logical segments for filing as attachments.



OTHER ISSUES APPLICABLE TO THE DISTRICT COURT

1. “When I electronically file “sealed” material in a District Court civil case, will the CM/ECF system automatically send the “sealed” material to attorneys on the other side?”

No. If the rule governing this filing requires service, the filing party must sent a copy of the “sealed” material to opposing counsel by mail.

2. “I would like to electronically file a sealed document in the District Court. What should I do?

If a party wishes to file a document under seal in CM/ECF in the District Court, they should first contact the Clerk’s Office for instructions regarding how to file the document and how to maintain the confidentiality of the information. The document submitted under seal shall be filed separately from any motion to seal it, **not** as an attachment to the motion. Furthermore, if appropriate, a "sealed" motion should include at the end of the motion a request for the corresponding order to be sealed and indicate recipients for service of the order (e.g. "Counsel for _____ requests that the Order corresponding to this motion be sealed and that copies be sent only to counsel for _____, the US Marshal and US Probation Office.") If a

proposed order is submitted which should be sealed, it should be entitled 'SEALED ORDER', state specifically that it is to be sealed and indicate recipients for service. (e.g. "IT IS FURTHER ORDERED that this Order shall be and remain sealed. The Clerk is directed to serve this order only upon counsel for _____, the US Marshal and US Probation Office.") Any order which is not sealed will be served on all parties.

Parties are reminded that they must serve sealed documents by mail on counsel if required by rule. The CM/ECF system will not electronically serve sealed material.

3. "How secure are electronically filed sealed documents in the District Court?"

Although sealed documents can only be accessed by authorized court staff, it is important to realize that the docket text which accompanies the NEF (Notice of Electronic Filing) can be viewed by *everyone*.

4. What is the Court's preference on how Motions and supporting documentation should be e-filed?

All supporting memorandum, affidavits, etc., that are being filed *concurrently* with the motion should be submitted to the Court as attachments to the main motion. On the screen where the filer browses and selects the motion.pdf, they should answer "yes" to attachments. On the attachments screen, the filer should include all additional pleadings being filed in support of the main motion, listed in a logical sequence. By this process, all pleadings are submitted to the Court through one transaction and not separate transactions for each document. This allows all documents to be bundled together on the docket.

5. What if a supporting affidavit or memorandum needs to be filed at a time later than the motion?

In all instances, supporting memoranda should be submitted as attachments to the main motion if they are being filed concurrently. If the supporting memoranda is being submitted to the court at a later date, the original motion is not refiled. In the District Court, the filer should select an appropriate document type under the "Other Filings" menu, "Other Documents" events list and link the supporting memoranda to the previously filed motion.



OTHER ISSUES APPLICABLE TO THE BANKRUPTCY COURT

1. "I am having a problem with my credit card transaction in CM/ECF being rejected for no apparent reason. What could be causing this?"

First, be sure that the billing information you enter in CM/ECF exactly matches the billing information on your credit card, i.e. name, middle initial, address, suite #, etc. The allowable variations are not a function of the CM/ECF program or Pay.gov, but rather, are established by

the individual bank or credit institution which issues the credit card. If authorization problems persist, you will need to contact the bank which issued the credit card.

2. “When I am asked for my security code during a credit card transaction in CM/ECF, what does that mean?”

The security code is the 3-digit code located on the **back** of the credit card, *not* your PIN #.

3. “Can I use a debit card for a CM/ECF transaction?”

Yes, as long as your debit card can also be used as a credit card and the CM/ECF transaction amount does not exceed your maximum daily charge limit. You will have to contact your bank to find out your maximum daily charge limit.

4. “I am counsel for the debtor. What is the proper procedure for filing an Objection to Motion for Relief from Stay?”

When filing this objection, it is essential that you choose the single event code entitled “Objection to Motion for Relief from Stay **and** Notice of Hearing” found under the Category **Other**. This is a new event code that allows Debtor’s counsel to file the objection and notice of hearing in one docket entry. The notice of hearing element is necessary to put the objection on the calendar. Call the Calendaring Department at 208-334-9343 to obtain the appropriate date, time and location for the hearing. This is the ONLY Bankruptcy event code that allows for a motion and notice of hearing to be filed at the same time. Counsel need to make sure the attached pdf document contains both the motion and notice of hearing as one document.

